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| 10/502,297      | 07/22/2004  | Sven-Ingvar Lundahl  | 10400C-000112/US    | 1854             |

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EXAMINER

LANGDON, EVAN H

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3654

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/502,297

Applicant(s)

LUNDAHL, SVEN-INGVAR

Examiner

Evan H. Langdon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

The drawings were received on 03 August 2005. These drawings are accepted.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 1, the limitation "essentially" on line 5 is indefinite.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balke (US 1,437,954) in view of Orange (US 5,513,819) and Zuk et al (US 5,791,590).

Balke discloses a bobbin of plastic, which has a cylinder 1 formed integrally with circumferential end flanges 2 forming U-shaped channel and each end flange 2 consists of a

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plurality of spaced apart radial flange elements 2 distributed along the circumference of the cylinder 1.

Orange teaches a bobbin of plastic, which has a cylinder formed integrally with circumferential end flanges 14, 16 forming U-shaped channel and each end flange a made of one pieced of plastic (col. 2 line 39-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the material of the bobbin of Balke to be made of plastic as suggested by Orange, to make the bobbin available for reuse since plastic is more durable (col. 2 line 39).

Orange discloses the claimed invention except for the plastic bobbin formed by injection molding. Zuk teaches that it is known to form a one-piece reel element made of plastic by means of injection molding because injection molding is a widely used manufacturing process appropriate for making plastic articles (col. 1, lines 34-67).

In regards to claim 2, Balke as modified by Orange and Zuk teaches the flange elements 2 (Balke) over the entire radial extent have an essentially constant extension in the circumferential direction, the flange elements of each end flange having a total extension in the circumferential direction that is essentially equal to the circumference of the cylinder.

In regards to claims 3-5, Balke as modified by Orange and Zuk teaches a plurality of axial grooves (Fig. 2 Balke) are formed in the outer and inner circumferential surface of the cylinder, where the outer and inner circumferential grooves are located opposite of each other, each groove extending the entire length of the cylinder between a point between two adjoining flange elements of one end flange and a point between two adjoining flange elements of the other end flange.

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In regards to claim 6, Balke as modified by Orange and Zuk teaches each flange element at its radially inner end has a lug 26 (Orange) which extends past the inner circumferential surface of the cylinder and has a circumferential extent that decreases radially inwards.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Balke with the lug of Orange, to connect the channels to each other because it would be easier to assemble..

It would have been obvious to perform the method steps of claims 8-12 when manufacturing the reel bobbin of Balke as modified by Orange in its usual and expected fashion.

In regards to claim 9, Balke as modified by Orange and Zuk teaches the channel ends 36, 40 are connected to each other by protrusions 38, 42 (Fig. 1A and 3, Orange).

### ***Claim Rejections - 35 USC § 103***

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Balke as modified by Orange and Zuk, and in further view of Koskelainen (US 6,021,974).

Koskelainen teaches a reel bobbin having an articulate projection 8 connecting flanges 7 and 10.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the flanges of Balke as modified by Orange to include articulate projections as suggested by Koskelainen, to provide stability to the plastic bobbin.

### ***Response to Arguments***

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Applicant's arguments filed 03 August 2005 have been fully considered but they are not persuasive. The argument on page 8 of the response cites *In re Marosi* to rebut the 35 USC 112 2<sup>nd</sup> paragraph rejection. *In re Marosi* is not applicable in this situation because it deals with composition of materials. The present invention "comprises a plurality of spaced apart radial flanges elements" it does not comprises essentially radial flange elements.

According to MPEP § 2144.03(D), if the examiner adds a reference in the next Office action after applicant's rebuttal, and the newly added reference added only as directly corresponding evidence to support the prior common knowledge finding, and it does not result in a new issue or constitute a new grounds of rejection, the Office action may be made final. On page 11 of the response, the applicant requested some concrete evidence be recorded.

In response to the argument on the bottom of page 11 of the response that there is no motivation to combine the references, the teaching by Orange is of a similar reel made of a durable plastic that will last longer and is reusable.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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